

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1506-02
Bill No.: Perfected HCS for HB 410
Subject: Crimes and Punishment; Drugs and Controlled Substances; Mental Health Dept.;
Motor Vehicles
Type: Original
Date: March 12, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Mental Health Earnings Fund	\$181,328 to \$1,966,337	\$490,729 to \$2,632,740	\$490,729 to \$2,632,740
Health Initiatives Fund#	\$1,365,680	\$1,365,680	\$1,365,680
Total Estimated Net Effect on Other State Funds	\$1,547,008 to \$3,332,017	\$1,856,409 to \$3,998,420	\$1,856,409 to \$3,998,420

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General** and **Office of State Treasurer** assume that costs of collecting delinquent payments can be absorbed with existing resources.

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** state the proposed legislation should not result in additional costs or savings to the BAP. However, the proposal will impact total state revenue.

Officials from the **Office of State Courts Administrator (CTS)** state the proposed legislation would modify various provisions of the substance abuse traffic offender program (SATOP), including capping the supplemental program fees assessed at \$200.

The only direct impact on the courts might be the additional cases filed due to the treatment programs not submitting the supplemental fee to the Department of Mental Health. The CTS does not expect that number of cases to significantly affect the budget of the judiciary.

Oversight assumes the CTS could absorbed the costs resulting from the proposed legislation within existing resources.

ASSUMPTION (continued)

Officials from the **Department of Mental Health (DMH)** state the proposed legislation permits payment of supplemental fees to the Department of Mental Health Earnings Fund (MHEF) of up to \$200 as compared to the current supplemental fee of \$60. Based on collecting 98% of the fees from an estimated 29,143 persons, the estimated required supplemental fee is currently \$125. Therefore, the low estimate of the fiscal impact to the MHEF is \$1,856,409 [(\$125 - \$60) X 0.98 X 29,143]. The high estimate of the fiscal impact to the MHEF uses the maximum supplemental fee permitted of \$200 [(\$200 - \$60) X 0.98 X 29,143 = \$3,998,420].

The dollar amount of Health Initiatives Fund funding for the Substance Abuse Traffic Offender Program (SATOP) to be removed is \$1,365,680 for program costs.

This proposal will result in an increase in Total State Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
MENTAL HEALTH EARNINGS FUND			
<u>Income - Department of Mental Health</u>			
SATOP fees	\$1,547,008 to \$3,332,017	\$1,856,409 to \$3,998,420	\$1,856,409 to \$3,998,420
<u>Costs - Department of Mental Health</u>			
SATOP program expenses previously paid for with Health Initiatives Funds	(\$1,365,680)	(\$1,365,680)	(\$1,365,680)
ESTIMATED NET EFFECT ON MENTAL HEALTH EARNINGS FUND	<u>\$181,328 to</u> <u>\$1,966,337</u>	<u>\$490,729 to</u> <u>\$2,632,740</u>	<u>\$490,729 to</u> <u>\$2,632,740</u>
HEALTH INITIATIVES FUND			
<u>Savings - Department of Mental Health</u>			
SATOP program expenses	\$1,365,680	\$1,365,680	\$1,365,680
ESTIMATED NET EFFECT ON HEALTH INITIATIVES FUND	<u>\$1,365,680</u>	<u>\$1,365,680</u>	<u>\$1,365,680</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

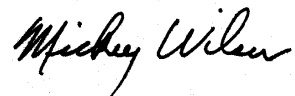
This proposal revises provisions pertaining to the Substance Abuse Traffic Offender Program.

The proposal: (1) Requires that some of the moneys deposited in the Health Initiatives Fund be used for the administration of the program; (2) Requires that persons who have had their driver's license suspended or revoked for various reasons enroll and complete the program or a comparable program determined by the Department of Mental Health; (3) Requires that enrollees in the program pay a supplemental fee in addition to a required fee. The amount of the supplemental fee will be determined by the department, but will not exceed \$200. This requirement applies to persons who are guilty of intoxication-related offenses and various other offenses; and (4) Requires administrators to remit to the Division of Alcohol and Drug Abuse all supplemental fees, less 2% for administrative costs. Administrators and programs who fail to remit the supplemental fees and interest on any unpaid supplemental fee balance will be subject to a penalty or legal action by the Attorney General.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Office of State Courts Administrator
Office of Administration -
 Division of Budget and Planning
Department of Mental Health
Office of State Treasurer



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